

REMARKS

Status of Claims

Claims 1-5 are presented for examination.

Claim Objections

Claims 1 and 4 are objected to because of the following informalities:

Claim 1, line 1, "the steering column" should be replaced with "a steering column".

Claim 4, line 3, "component" should be replaced with "components".

In response, Applicants have amended the claims.

Claim Rejections - 35 USC § 102

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lutz, US Patent 6,095,012.

According to the Examiner, in regards to claims 1-5, Lutz discloses all of the claimed elements of the clamping device for a steering column of a motor vehicle.

Applicants respectfully traverse.

Simply stated, the presently claimed clamping device for the steering column of a motor vehicle, comprises

one jaw-shaped component (2) of elastically **flexible** design, at least in the thickness direction,

one jaw-shaped component (3) is of flexurally **rigid** design, at least in the thickness direction,

first and second jaw-shaped components running vertically parallel to one another, between which a casing tube of the steering column extends, and

a clamping bolt which interacts by tensioning with a counter-element in order to apply the clamping force, the bolt head being arranged on sides of the exterior of the first jaw-shaped component and the counter-element on sides of the exterior of the second jaw-shaped component.

Accordingly, the clamp of the present invention works in the manner of a bench-top vise, with the clamping bolt in tensioning interaction with the counter element bending the elastic jaw in the thickness direction towards the rigid jaw, the rigid jaw acting as a stopper. This way, the steering column lying between the jaws can be clamped.

As can be seen from this explanation, the present claimed device will function without the metal shims 12, 13 of Lutz. Thus, the base claim does not recite shims or plates, since the clamping effect can be achieved using only the jaws. The inventive device functions absent these shims or plates.

Turning now to Lutz, Lutz shows a clamping device with a bracket 1, which has two vertical legs. The legs, having the same reference numbers, are obviously equivalent elements, not elements with different functions, as in the present invention. The legs 3 of Lutz can be compared, only in view of their location, with the clamping jaws of the present invention. However, Lutz does not show or teach that the legs 3 have a clamping function. The lamellas are used for the clamping function.

The Examiner is referred to the paragraph bridging col. 3 and 4 of Lutz:

During normal operation of a motor vehicle ...[t]he coupling bolt 10 ***presses the lamellas 12 and 18 of both lamella packages 11 and 17 together in a manner of a closed multiple-plate clutch***, which insures a predetermined adjusted position of the steering column. When the steering wheel need be adjusted, the vehicle driver actuates the actuation lever 23 to release the preloading element 22. This leads to the "opening" of the "multi-plate" coupling, and the steering column jacket 4 can be displaced longitudinally (in the direction of arrow 27) relative to the stationary support element or bracket 1 ... When the steering wheel reaches the desired position, the lamellas 12 and 18 of both ***lamella packages are pressed together*** with the coupling bolt 10.

Accordingly, withdrawal of the rejection is respectfully requested.

Claim Rejections - 35 USC § 103

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lutz in view of Sato et al., US Patent 6,237,954.

In regards to claim 2 (rigid and elastic components (2) and (3) being of the same material but different thicknesses), the Examiner takes the position that Lutz discloses all of the claimed elements including the flexurally rigid component (3) being designed with a correspondingly large wall thickness and the elastically flexible component (12) with a correspondingly small wall thickness. Yet excluding the two components (3, 12) being made from the same material, as only component 12 is disclosed as being made of metal and the material of component 3 is undisclosed.

Sato et al. is cited for disclosing a U-shaped bracket rigidly attached to a vehicle and discloses the bracket as being metal.

According to the Examiner, it would have been obvious to one of ordinary skill in the art to make the component 3 of Lutz out of metal as it is a readily available material that can be easily attached through welding to a vehicle cross member.

In response, Applicants submit that neither reference teaches the key feature of the present invention, the two (clamping) jaw components, wherein one is elastic, the other rigid, such that drawing the elastic jaw against the rigid jaw results in clamping of the steering column.

Accordingly, withdrawal of the invention is respectfully requested.

The Commissioner is hereby authorized to charge any fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account Number 16-0877.

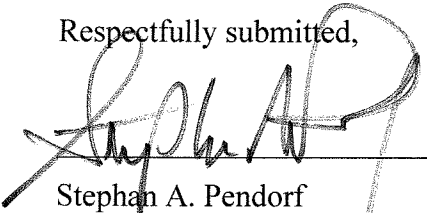
U.S. Application No.: **10/553,813**
Amendment A
Reply to Office Action dated 09/17/2008

Attorney Docket No: 3926-216

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. **Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.**

Patent Central LLC
1401 Hollywood Blvd.
Hollywood, FL 33020-5237
(954) 922-7315

Respectfully submitted,


Stephan A. Pendorf
Registration No. 32,665

Date: **December 17, 2008**